



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,596	11/21/2003	Ayae Endo	117625	8683
25944	7590	08/12/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			GARRETT, DAWN L	
			ART UNIT	PAPER NUMBER
			1774	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/717,596

Applicant(s)

ENDO ET AL.

Examiner

Dawn Garrett

Art Unit

1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 11-17,22-26,30-33,35 and 36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10,18-21,27-29,34,37 and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11-21-03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is responsive to applicant's response to the restriction requirement dated May 16, 2005. Applicant elected Group I, claims 1-10, 18-21, 27-29, 34, 37, and 38 with traverse. Applicant states "the search and examination of the entire application could be made without serious burden". The examiner maintains that the nonelected claims have acquired a separate status in the art shown by their separate classification and would require a separate and burdensome search. Accordingly, the restriction is deemed to be proper. Claims 11-17, 22-26, 30-33, 35, and 36 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a non-elected group.

Specification

2. It is suggested the title of the application be shortened.

3. The brief description of drawings section of the specification discusses "Fig. 17", but does not list separately each of figures 17A, 17B, 17C, 17D, 17E, and 17F. These six drawings are considered to be separate figures and should each be listed. Correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 20 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 1774

The preamble of claims 20 and 21 recite "The film forming apparatus", but claims 18 and 20 upon which these claims respectively depend are drawn to an electro-optic device. Accordingly, claims 20 and 21 are indefinite, because claims 18 and 20 do not set forth a film forming apparatus. It is suggested that claims 20 and 21 be amended to recite an electro-optical device consistent with their parent claims. Clarification and/or correction are required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 1-6, 8-10, 18-21, 27-29, 34, 37 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Li (US 6,372,154). Li discloses a luminescent ink composition comprising a luminescent organic compound ("solute"), an inert solvent ("solvent") and a functional additive ("metal deactivator") with regard to claim 1 (see claim 1, col. 15) that are used to form an electroluminescent device (see abstract). The organic luminescent molecule may be a macromolecule such as distyrylbenzene (see claim 3, col. 15) with regard to claim 4. Li discloses the functional additive ("metal deactivator") may comprise triazoles (see claim 9, col. 15). Triazoles are disclosed by applicant in par. 11 of the present specification as metal deactivators. Since Li discloses the same material, triazoles, as applicant, the material is deemed to have inherently the same transparency and color properties as those claimed by applicant with regard to claims 8 and 9.

Art Unit: 1774

Similarly, since the materials disclosed by Li are the same as those specified by applicant, the solubility properties of claim 10 are also deemed to be met in the disclosure by Li.

With regard to claim 29, the devices comprise multiple layers (see col. 12, lines 62-67).

8. Claims 1-10, 18-21, 27-29, 34, 37 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamansky et al. (US 2004/0062947) ("Lamansky"). Lamansky discloses organic electroluminescent devices comprising a charge transport matrix (see abstract). The matrix comprises at least one electron transporting material, hole transport materials, additional electron transport materials, inert polymers, hole injecting materials (per the present claim 7), electron injecting materials and the like (see par. 32). The matrix composition is prepared by combining the components of the matrix with a solvent "solvent" (see par. 82). The matrix may comprise triazole derivatives per the "metal deactivator" (see par. 40).). Triazoles are disclosed by applicant in par. 11 of the present specification as metal deactivators. Since Lamansky discloses the same material, triazoles, as applicant, the material is deemed to have inherently the same transparency and color properties as those claimed by applicant with regard to claims 8 and 9.

Similarly, since the materials disclosed by Lamansky are the same as those specified by applicant, the solubility properties of claim 10 are also deemed to be met in the disclosure by Lamansky. The matrix comprises at least one emissive dopant with regard to claims 3, 4, and 28 (see par. 52 –53 and abstract).

Conclusion


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571)272-1523.

The examiner can normally be reached Monday through Friday.

Art Unit: 1774

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached at (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dawn Garrett
Primary Examiner
Art Unit 1774

D.G.
August 5, 2005